

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA, on its
own behalf and as trustee on behalf of the
Lummi Nation,

Plaintiff,

v.

KEITH E. MILNER and SHIRLEY A.
MILNER, et al,

Defendants,

THE LUMMI NATION,

Intervenor-Plaintiff.

Case No. C01-0809 RBL

STIPULATION FOR ORDER
DIRECTING ENTRY OF JUDGMENT
UNDER FRCP 54(b); ORDER
THEREON

Because the United States has voluntarily dismissed its Third Claim for Relief against Mary D. Sharp, Keith E. Milner and Shirley A. Milner, Ian C. Bennett and Marcia A. Boyd and no other claims against these defendants remain unresolved, Plaintiff, Plaintiff-Intervenor, and all Defendants agree that there is no just reason for delaying the entry of judgment and, therefore, request that judgment be entered pursuant to FRCP 54 (b) in favor of Plaintiff United States and Plaintiff-Intervenor Lummi Indian Nation against only Mary D. Sharp, Keith E. Milner and Shirley A. Milner, Ian C. Bennett and Marcia A. Boyd. The claims of the United States against Defendant Harry Case are resolved by a separate settlement

1 agreement and stipulation for order of dismissal which was filed with the Court on August 30, 2005. The
2 claims of the United States and the Lummi Indian Nation against Donald Walker and Shirley Walker
3 remain pending before the Court and judgment should not be entered as to those defendants.
4

5 IT IS SO STIPULATED this 31st day of August 2005.

6 JOHN McKAY
7 United States Attorney

8 By:

9 Brian C. Kipnis
10 Assistant United States Attorney
11 Attorneys for Plaintiff,
12 United States of America

13 GROEN STEPHENS & KLINGE LLP

14 By:

15 Richard M. Stephens, WSBA #21776
16 Attorneys for Defendants,
17 Mary D. Sharp, Keith E. Milner and Shirley A. Milner,
18 Brent C. Nicholson and Mary K. Nicholson, and
19 Ian C. Bennett and Marcia A. Boyd

20 BRETT & DAUGERT PLLC

21 By: See Attached Signature Page

22 Larry Daugert, WSBA #4634
23 Attorney for Defendants,
24 Harry F. Case and
25 Donald and Shirley Walker

26 RAAS, JOHNSEN & STUEN, P.S.

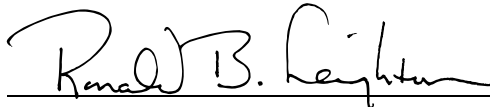
27 By: See Attached Signature Page

28 Harry L. Johnsen, WSBA #4955
Attorney for Intervenor-Plaintiff, Lummi Nation

ORDER

Upon the stipulation of the parties, and it appearing to the Court that there is no just reason for delay, IT IS HEREBY ORDERED that judgment be entered in favor of Plaintiff United States of American and Plaintiff-Intervenor Lummi Indian Nation against only Mary D. Sharp, Keith E. Milner and Shirley A. Milner, Ian C. Bennett and Marcia A. Boyd.

DATED this 2nd day of September, 2005.

A handwritten signature in cursive script, reading "Ronald B. Leighton", is written over a horizontal line.

RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE